

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

CRIMINAL

v.

:

KELLEY O'BRIEN

: NO. 21-MJ-1292

PROHIBITION ON POSSESSION OF FIREARM(S) AGREEMENT AND ORDER

The District Court, as a condition of your release pending judicial proceedings, has ordered that you refrain from possessing a firearm. This condition expressly prohibits you from carrying a firearm or possessing a firearm inside your residence, place of temporary occupancy or vehicle. If you own or possess a firearm(s), you must lawfully transfer or sell the firearm(s) in accordance with the procedure outline below. Failure to abide by this condition may result in the revocation of your release and the filing of additional charges for violating federal firearms laws, including, but not limited to, possession of a firearm by a person under indictment.

In order to lawfully transfer or sell any firearm as required as a condition of release, you or your designee must take the following three steps:

1. Take or cause the firearm(s) to be taken to a federal firearms licensee (FFL) located within the confines of the Eastern District of Pennsylvania. A list of federal firearms licensees operating in the Eastern District of Pennsylvania will be provided to you. The firearm must be transported to the federal firearms licensee in accordance with Pennsylvania law. Pennsylvania law requires that an unloaded firearm be placed in a box and secured in the trunk of vehicle during transport to the premises of the federal firearms licensee.
2. If you sell the firearm to the federal firearms licensee, obtain a dated receipt identifying the firearm by manufacturer, model, caliber and serial number. If you transfer the firearm to a third person, the federal firearms licensee will complete an ATF Form 4473 as required by federal law. This form records the transfer of the firearm from the federal firearms licensee to the third party receiving the firearm. The third party receiving the firearm must request and obtain a photocopy of the ATF Form 4473 from the federal firearms licensee. You should then obtain a copy of the ATF Form 4473 from the third party.

3. Within 72 hours of your release, provide Pre-Trial Services with either a copy of the receipt of sale to the federal firearms licensee or a copy of the ATF Form 4473 that recorded the transfer of the firearm to a third party.

I have read the above-described prohibition on possession of a firearms while on release and agree to lawfully transfer or sell any firearm(s) in my possession in the manner described. I understand that failure to abide by this condition may result in the revocation of my release.


KELLEY O'BRIEN, Defendant

BY THE COURT:

/S/ HENRY S. PERKIN
HENRY S. PERKIN, USMJ

Date: 08/18/21